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UNCLAS HO CHI MINH CITY 000838

SIPDIS

DEPARTMENT FOR PRM/A, CA/VO/L/F, AND EAP/BCLTV

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SUBJECT: TRIAL OF AMERASIAN FRAUD RING IN HO CHI MINH CITY

REF: 02 Ho Chi Minh City 0281

1. On June 8, a court in Ho Chi Minh City handed down sentences to defendants in a case involving an Amerasian fraud ring. Consulate General officers had developed some of the initial evidence in this case over two years ago and then passed it on to local authorities, as reported reftel. The defendants were Vietnamese nationals who organized and participated in the fraud ring. In addition, there were several provincial and district-level police officials who assisted them.

2. The principal defendant in the case, Ms. Nguyen Thi Thanh Phuong, was sentenced to 30 years imprisonment for bribery, document fraud and "helping others to escape the country illegally." Ms. Phuong was identified as the head of a network which helped purported Amerasians obtain fraudulent immigration documents. Mr. Vo Tan Bien, a former captain of Nui Thanh District public security in Quang Nam province (central coast of Vietnam) was sentenced to 18 years for taking bribes and falsifying documents. Ms. Nguyen Thi Thuy Hong, the younger sister of Ms. Phuong, was sentenced to seven years for facilitating bribery. Five defendants who were former public security officers were given three-year suspended sentences for falsifying documents. Three other defendants also received suspended sentences.

3. There were 12 other police and local government officials involved in the case. While the court said they had committed wrongdoing in verifying and certifying fraudulent documents, their files were returned to prosecutors for further investigation. The court did not agree with the light administrative sanctions these defendants had received, so it asked the Ministry of Public Security (MPS) to continue its investigations.

4. Comment: It is a welcome development to see a Vietnamese court give lengthy sentences to a notorious Amerasian visa fixer and her collaborators, though it remains to be seen whether they appeal their cases. The fact that other defendants -- mostly former MPS officers -- got off with only suspended sentences was disappointing, as it appears that these individuals are still on the job and on the take. The publicity attached to this trial and verdict has prompted renewed questions about the status of the Amerasian program. High levels of fraud, bribery, and manipulation were exactly what prompted the Mission to seek expanded adjudication guidance from the Department in March 2002, and subsequently suspend adjudication of new Amerasian cases in January 2003, pending a response from the Department.

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